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FISCAL IMPACT STATEMENT

LS 6496

BILL NUMBER: HB 1108

NOTE PREPARED: Jan 2, 2012

BILL AMENDED:

SUBJECT: Approval of Commercial Composting Facilities.

FIRST AUTHOR: Rep. Moseley

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that a person may operate a commercial composting facility located within 1,000 feet of a residential, commercial, or public structure only if the person registers the composting facility with the Department of Environmental Management (IDEM). It establishes a procedure for the processing of an application for registration of a commercial composting facility, including a public hearing, published and written notice of the public hearing, and the review of written remonstrances received after the public hearing. It allows for the resubmission of an application if the IDEM initially disapproves an application.

The bill requires the operator of a commercial composting facility whose application is approved to provide advance written notice of the date operations will commence at the facility to all owners of property adjoining the facility. The bill also provides for the renewal of the registration of a commercial composting facility.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *IDEM:* This bill would require IDEM to establish a process for the review and approval of the registration of certain commercial composting facilities. The requirements in this bill will increase administrative expenses for IDEM depending on the number of composting facilities that will be subject to the new approval process. It is unknown how many facilities will be subject to the bill's requirements. As of December 1, 2011, there were 126 total registered composting facilities.

The process of approval is required to include:

(1) a public hearing in the county where the facility will operate;

- (2) providing notice at least 30 days before the scheduled public hearing;
- (3) reviewing written remonstrances within 30 days after the public hearing; and
- (4) maintaining public record of testimony received during the hearing and the remonstrance period.

In addition, the bill requires IDEM to provide written notice of the public hearing by certified mail to all owners of property adjoining the location of the proposed commercial composting facility.

Under current law, registrations of composting facilities are for five years.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: IDEM.

Local Agencies Affected:

Information Sources: IDEM, *Registered Yard Waste Composting Facilities List*, December 1, 2011.

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